

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEVADA
LAS VEGAS DIVISION**

MOTION FOR SUMMARY JUDGMENT

1. Defendant violated Telephone Collection Practices Act (“TCPA”) 47 U.S.C. § 227(b)(1)(B).

CONCLUSION

Defendant has been served with the Summons and Complaint. Defendant has had ample time to review all of the evidence that was requested by counsel and provided by plaintiff during discovery. The defendant has failed to provide any relevant facts or evidence to dispute the evidence. Therefore, based on the irrefutable evidence provided to the defendant and the failure of the defendant to provide any relevant facts and or evidence to dispute the case, plaintiff respectfully requests this court to grant the motion for Summary Judgment in favor of plaintiff Kirby Spencer.

By: Kirby Spencer
Kirby Spencer

DATE: April 12, 2013

VERIFICATION OF SUMMARY JUDGMENT AND CERTIFICATION

STATE OF NEVADA)
COUNTY OF CLARK)

Plaintiff, Kirby Spencer, states as follows:

1. I am the Plaintiff in this civil proceeding.
2. This civil Summary Judgment is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
3. This civil Summary Judgment is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Summary Judgment.
4. I have filed this Summary Judgment in good faith and solely for the purposes set forth in it.

Pursuant to 28 U.S.C. § 1746(2), I, Kirby Spencer, hereby declare under penalty of perjury that the foregoing is true, correct and materially complete.

By: Kirby Spencer
Kirby Spencer

DATE: 4-12-2013

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail

to

DIVERSIFIED ADJUSTMENT SERVICE, INC.

Att: Kathleen Zurek & Mike Holtz

600 Coon Rapids Blvd.

Coon Rapids, MN 55433

and

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Attorneys for Defendant

on this 12th day of April, 2013.

By: Kirby Spencer

Kirby Spencer

DATE: 4-12-13